

(B) CONTENTS OF COMPLAINT.

A COMPLAINT ISSUED UNDER THIS SECTION SHALL:

(1) SPECIFY THE PROVISION THAT ALLEGEDLY HAS BEEN VIOLATED; AND

(2) STATE THE ALLEGED FACTS THAT CONSTITUTE THE VIOLATION.

REVISOR'S NOTE: This section is new language patterned after the first sentence -- as that sentence related to the Department -- and the entire second sentence of NR § 8-1412(a).

Subsection (a)(3) of this section is new language added for clarity. In practice, a violation of a permit or order is also a violation of a rule or regulation, but their express inclusion in this section makes it clear that complaints may be issued to enforce a permit or order.

Subsection (b)(2) of this section is new language added for clarity and to conform to practice.

9-335. ISSUANCE OF NOTICE OR ORDER.

(A) IN GENERAL.

AFTER OR CONCURRENTLY WITH SERVICE OF A COMPLAINT UNDER THIS SUBTITLE, THE DEPARTMENT MAY:

(1) ISSUE AN ORDER THAT REQUIRES THE PERSON TO WHOM THE ORDER IS DIRECTED TO TAKE CORRECTIVE ACTION WITHIN A TIME SET IN THE ORDER;

(2) SEND A WRITTEN NOTICE THAT REQUIRES THE PERSON TO WHOM THE NOTICE IS DIRECTED TO FILE A WRITTEN REPORT ABOUT THE ALLEGED VIOLATION; OR

(3) SEND A WRITTEN NOTICE THAT REQUIRES THE PERSON TO WHOM THE NOTICE IS DIRECTED:

(I) TO APPEAR AT A HEARING BEFORE THE DEPARTMENT AT A TIME AND PLACE THE DEPARTMENT SETS TO ANSWER THE CHARGES IN THE COMPLAINT; OR

(II) TO FILE A WRITTEN REPORT AND ALSO APPEAR AT A HEARING BEFORE THE DEPARTMENT AT A TIME AND PLACE THE DEPARTMENT SETS TO ANSWER THE CHARGES IN THE COMPLAINT.

(B) EFFECTIVE DATE OF ORDER.

ANY ORDER ISSUED UNDER THIS SECTION IS EFFECTIVE